



Patent
Attorney Docket No. 004900-213

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Anne-Marie SEPULCHRE et al.

Application No.: 10/088,350

Filing Date: June 14, 2002

Title: USE OF STRAINS OF STREPTOCOCCUS
THERMOPHILUS WHICH ARE INCAPABLE
OF HYDROLYZING UREA IN DAIRY PRODUCTS

Group Art Unit: 1761

Examiner: Keith D. Hendricks

Confirmation No.: 2855

**SECOND
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a **SECOND** Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☒ A check in the amount of \$ 180.00 is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

Date: December 15, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
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Anne-Marie SEPULCHRE et al.) Group Art Unit: 1761
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Application No.: 10/088,350) Examiner: Keith D. Hendricks
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For: USE OF STRAINS OF)
STREPTOCOCCUS THERMOPHILUS)
WHICH ARE INCAPABLE OF)
HYDROLYZING UREA IN DAIRY)
PRODUCTS)

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Applicants request consideration of the documents listed on the accompanying Form PTO-1449. These documents have been recently cited by Opponents in an opposition proceeding regarding the corresponding European patent; prior to that, they were not known to applicants or their representatives.

The article by Stoyanov et al. is in Bulgarian but is accompanied by a full English translation.

The e-mail from Henk Spierenburg indicates that the *S. thermophilus* CNRV 407 strain was deposited in 1971, much earlier than indicated on page 3 of applicants' specification.

This statement, Form PTO-1449 and listed documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore, under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

12/16/2004 YPOLITE1 00000032 10088350

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180.00 OP

SECOND Information Disclosure Statement

Application No. 10/088,350

Attorney's Docket No. 004900-213

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It is respectfully requested that the Examiner consider this statement and cited information and that an Examiner-initialed copy of the accompanying Form PTO-1449 be returned to the undersigned.

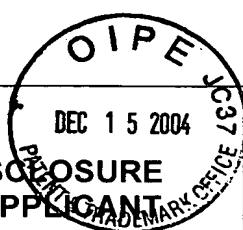
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date December 15, 2004

By: Mary Katherine Baumeister
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Registration No. 26,254

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FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Sheet	1	of	1	Application Number	10/088,350
				Filing Date	June 14, 2002
				First Named Inventor	Anne-Marie Sepulchre et al.
				Examiner Name	Keith D. Hendricks
				Attorney Docket Number	004900-213

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Stoyanov et al., <i>Nauchni Trudove, Vissh Institut po Khranitelna i Vkusona Promishlenost</i> (1995), 40:211-217, Plovdiv, Bulgaria, with full English translation.
	OTHER DOCUMENT: May 25, 2004 e-mail from Henk Spierenburg regarding S. thermophilus CNRZ 407 strain.

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.